

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF SBA TOWERS, INC. AND)	
WEST VIRGINIA CELLULAR TELEPHONE)	
CORPORATION D/B/A AT&T WIRELESS SERVICE)	
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)	CASE NO.
CONVENIENCE AND NECESSITY TO CONSTRUCT)	2001-130
A WIRELESS TELECOMMUNICATIONS FACILITY)	
IN THE HUNTINGTON-ASHLAND METROPOLITAN)	
STATISTICAL AREA [SOUTH ASHLAND FACILITY])	

O R D E R

On July 24, 2001, SBA Towers, Inc. and West Virginia Cellular Telephone Corporation d/b/a AT&T Wireless Service ("Applicants") filed an application seeking a Certificate of Public Convenience and Necessity to augment an existing wireless telecommunications facility.¹ The construction of the existing telecommunications facility was authorized in Case No. 98-077.² The existing facility consists of a 190-foot self-supporting antenna tower located at 1633 Paradise Lane, Ashland, Boyd County, Kentucky. The coordinates for the facility are North Latitude 38° 26' 9.53" by West Longitude 82° 41' 8.38". The proposed augmentation will result in the existing structure being extended to a height not to exceed 225 feet with attached antenna. Pursuant to 807 KAR 5:063, Section 6(2), a Certificate of Public Convenience and Necessity to Construct is required for the augmentation because the structure, as augmented, will require lighting.

¹ The Commission granted the Applicants' motion for waiver of various regulatory filing requirements, including a request that portions of the application in Case No. 98-077 be incorporated, by reference, in the instant case.

The Applicants have provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed augmentation. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and the plans have been certified by a Licensed Professional Engineer.

Pursuant to 807 KAR 5:063, the Applicants notified the Boyd County Judge/Executive. The Applicants have filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the proposed augmentation. Both decisions are pending.

The Applicants have filed evidence of the appropriate notices provided pursuant to 807 KAR 5:063. The notices solicited any comments and informed the recipients of their right to request intervention. To date, no public comments have been filed with the Commission.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that the Applicants have demonstrated that the proposed augmentation is necessary to provide adequate utility service and therefore a Certificate of Public Convenience and Necessity to augment the tower as proposed should be granted.

IT IS THEREFORE ORDERED that:

1. The Applicants are granted a Certificate of Public Convenience and Necessity to augment an existing wireless telecommunications facility. The proposed facility as augmented will consist of a self-supporting antenna tower not to exceed 225 feet

² Case No. 98-077, Application of Horizon Personal Communications, Inc. for the Issuance of a Certificate of Public Convenience and Necessity to Construct a Telecommunications Antenna Tower at the South Ashland Site in Boyd County, Kentucky.

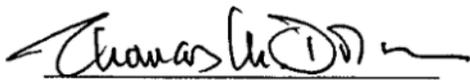
in height, with attached antenna, located at 1633 Paradise Lane, Ashland, Boyd County, Kentucky. The coordinates for the facility are North Latitude 38° 26' 9.53" by West Longitude 82° 41' 8.38".

2. The Applicants shall file a copy of the final decisions regarding the pending FAA and KAZC applications for the proposed augmentation within 10 days of receiving these decisions.

Done at Frankfort, Kentucky, this 17th day of September, 2001.

By the Commission

ATTEST:


Executive Director